

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT HYDERABAD**

Crl. Bail Application No.S-1331 of 2025
(Zahid Iqbal Khan v. the State)

Crl. Bail Application No.S-1336 of 2025
(Ayoub Machi and another v. the State)

Applicant in Cr. B.A No.S-1331 of 2025 is present on interim pre-arrest bail

Syed Tarique Ahmed Shah, advocate for applicant in Cr. B.A No.S-1331 of 2025

Mr. Rasool Bux R.B Solangi, advocate for the applicant in Crl. B.A No.S-1336 of 2025

Ms. Sana Memon, A.P.G

Date of hearing
& short order: 04-03-2026

ORDER

Omar Sial, J.: Applicants, Ayoub Machi and Asghar Machi seek post arrest bail in Crime No.98/2025 registered under Sections 302,324,34 PPC at Police Station Taluka Tando Muhammad Khan, whereas, bail application filed by the applicant Zahid Iqbal Khan has been fixed for confirmation or otherwise.

2. Briefly, the facts of the case are that complainant Muhammad Moosa lodged FIR on 24.09.2025 at 0200 hours at Police Station Taluka Tando Muhammad Khan stating therein that on the same day at about 1800 hours his brothers namely Uris Sathio, Hanif, Ameen and Essa were present at his house. His brother Uris came out from his house and found four police mobiles and some persons in one tractor trolley as well as one white car wherein one advocate Manzoor Panhwar alongwith three unknown persons were present there. Uris informed that measurement of land has not been done and the case is pending before the Court which was adjourned today as

the other side did not proceed with the matter. SHO Zahid Chandio asked to vacate the houses and he used abusive language and started straight firing on Uris. Ameen Mousa and Hanif came forward to rescue Uris to which Manzoor Panhwar snatched rifle from police official and started firing on complainant party as a result, Hanif received injury on his abdomen. On hearing commotion, peoples of locality gathered at the place of incident as such SHO Zahid Chandio alongwith police officials and Manzoor Panhwar fled away from there. As a result of injury, Uris died at the spot; they apprehended Ayub Machi and Asghar Machi who were brought by Manzoor Panhwar with intention to occupy the land, hence, on the report of complainant, FIR was registered.

3. Learned counsel for the applicants submits that the medical evidence is not in consonance with ocular account; as per FIR, the deceased Uris sustained a fire arms injury, whereas the final post mortem report of the deceased Uris shows that he sustained the injury with hard and blunt substance. He further submits that the prosecution story is doubtful as during investigation it revealed that accused Manzoor Ahmed was present at Hyderabad and not at the place of incident. It is further submitted that no overt act has been attributed to the applicants Ayoub Machi and Asghar Machi and mere presence was shown in the FIR as such he prays for grant of bail application.

4. Learned DPG for the State opposed the bail application for the reason that the applicants were present at the place of incident and out of them two were arrested at the spot.

5. I have heard the learned counsel for the applicants and the learned Deputy Prosecutor General of Sindh. My observations and findings are as follows.

6. Admittedly, presence of all the applicants at the place of incident is shown in the FIR, however, in the FIR it is alleged that SHO fired on deceased Uris who died at the spot, however, the post mortem report shows the injury of deceased was caused with hard and blunt substance. The allegations against the applicant Zahid Iqbal Khan is that he fired on complainant party and it is yet to be determined during trial whether any person from complainant party received fire arms injury as a result of firing by applicant Zahid Iqbal or not. Similarly, applicants Ayoub and Asghar were present at the place of incident, but neither any specific role has been attributed to them nor any recovery of weapon has been made from their possession. In the circumstances, case of the applicants requires further inquiry and they are entitled for concession of bail.

7. Above are the reasons of short order dated 04.03.2026, whereby, interim pre-arrest bail granted to the applicant Zahid Iqbal Khan was confirmed on the same terms and conditions. However, the post arrest bail application filed by applicants Ayoub Machi and Asghar Machi was granted and they were admitted to bail subject to furnishing surety of Rs.50,000/- (Rupees Fifty Thousand) each and PR bond in the like amount to the satisfaction of learned trial Court.

8. Both bail applications are disposed of in the above terms.

JUDGE